

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS						
<p>TULSA 700, I, LTD., an Oklahoma Limited Partnership; MEMPHIS 600, LTD., an Oklahoma Limited Partnership; MEMPHIS 626, LTD, an Oklahoma Limited Partnership; TAMPA 212, LTD., an Oklahoma Limited Partnership; TAMPA 442, LTD., an Oklahoma Limited Partnership;; and VERDEX REALTY MANAGEMENT, INC., a Delaware corporation.</p> <p>v.</p> <p>LEWIS AVENUE INVESTMENT COMPANY, an Oklahoma partnership; JACK SOWLES and JAMES C. METZKER</p>		<p>For plaintiff:</p> <p>Schlanger, Cook, Cohn & Mills Barry A. Brown, Joel W. Cook 1415 Fannin Houston, Texas 77002</p> <p>Rooney McInerney Blackstock, Joyce, Pollard & McInerney 3rd Floor, Petroleum Bldg. Tulsa, Oklahoma 74119 <i>575-2751</i></p> <p>For defendant:</p> <p>Stephen E. Smith (Sowles <i>1201</i> Fourth Natl. Bldg. Tulsa 74119 <i>582-4107</i></p> <p>Jim Gidley <i>622</i> Pittock Block 921 S. W. Washington St. Portland, Oregon 97205</p>						
STATISTICAL RECORD	COSTS			DATE	NAME OR RECEIPT NO.	REC.	DISB.	
J.S. 5 mailed <i>10-1-74</i>	Clerk			9-10-74	Brown	1500		
				9-12-74	C/D #12		15	00
J.S. 6 mailed <i>2-1-75</i>	Marshal							
Basis of Action: Breach of Contract, Req. for Pre. Inj. and Temp. R. Order	Docket fee							
	Witness fees							
Action arose at:	Depositions							

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-10-74	1. PLTFS' ORIG. COMPLAINT, filed.jj	
9-10-74	2. MTN. for Prel. Inj. and for Temporary Restraining Order, filed.jj	
9-10-74	3. Temporary restraining order, filed, requiring that no bond is necessary, and that defts. are restrained from negotiation, presentment for payment or any other disposition of certain checks; and that this order shall remain in effect for 10 days or until a hearing on pltf's motion for preliminary injunction can be heard. (FD for LB)hm (Summons issued by cert. mail)	
9-11-74	Return on U.S. Marshals Service, Summons & TRO, filed. Served Jack Sowles at Tulsa, OK, on 9-11-74 w/ fees of \$10.56; served Lewis Ave. Investment Co. by serving Jack Sowles, co-partner, at Tulsa, OK, on 9-11-74 w/ fees of \$6.00. k	
9-12-74	Case set for hearing on motion for preliminary injunction and further disposition 9-20-74 at 9:30 a.m. (LB-J)hm	
9-20-74	Hearing held on pltf's motion for preliminary injunction and further disposition. Pltf. rep. by Rooney McInerney, Barry A. Brown and Joel W. Cook; defts. rep. by Stephen E. Smith. Mr. Cook and Mr. Brown admitted for purposes of this case upon Mr. McInerney's motion. Mr. Smith announces he will not represent the defts and is only present because notice was sent to him. Court states proper service had been made on defts. & that Mr. Smith should have advised counsel for defts. in Oregon of hearing, and orders parties to proceed. Pltf's witnesses sworn and testify: Lewis Gammon, David Harris, Phillson J. Coberne; deft's witness sworn and testifies: Gene Stratton. Copies allowed to be made of exhibits (pltf's) 1 thru 10 and substituted for originals. Court orders preliminary injunction be issued and to be continued in force and effect until further hearing set for <u>9-30-74 at 10:00 a.m. in Okla. City</u> . Pltf. to prepare order directing delivery of certified checks to Clerk of Court for deposit in Registry. Court fixes bond in amt. of \$5,000, to be effective today, and to be filed by noon on 9-23-74. Pltf. given 5 days to file amended motion for TRO. (LB-J)hm	
9-20-74	Exhibits from hearing on prel. inj., filed. hm	
9-20-74	4. Pltfs' supplemental motion for temp. restraining order, filed. hm	
9-20-74	5. Order granting temporary restraining order, filed, restraining Union Bank of Calif. & U.S. Natl. Bank of Portland, Ore. from clearing, negotiating, or paying certain certified checks and setting pltfs' suppl. motion for prel. inj. for hearing at 9:30 a.m. on 9-30-74 at Okla. City. No bond required of pltfs in connection with this TRO. (LB-J)hm (copies mailed)	
9-20-74	6. Order granting preliminary injunction, filed, restraining defts. from negotiating, presenting for payment or cashing certain certified checks, and directing said defts. to deliver said 10 certified checks to the Clerk of this Court for retention in the registry of Court pending further order of Court; said prel. inj. not to be issued until pltfs. have filed bond in amt. of \$5,000 by noon on 9-23-74. (LB-J)hm (copies mailed)	

(continued)

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-23-74	^{1.} Preliminary injunction bond in the amt. of \$5,000, filed. hm	
9-30-74	^{8.} Defts.' Ans. & Counterclaim, filed. v	
9-30-74	It is ordered by the Court that the case, in all of its aspects, is passed from hearing this date at the request of counsel for the Plaintiff and Defendant (see telegram and confirmation of telegram in file); further ordered that temporary injunction remains in force and effect by agreement of all counsel and the injunction is continued until further order of Court. (LB-J)hm	
10-3-74	^{9.} Pltff's Motion to dissolve temporary restraining order entered against Union Bank of Calif. of Beverly Hills, Calif., filed. k	
10-7-74	^{10.} ORDER Dissolving Temporary Restraining Order, filed. (LB-J) lm <i>qfo mch</i>	
10-8-74	11. Transcript of proceedings at hearing on motion for preliminary injunction, filed. hm	
12-26-74	12. Stipulation of dismissal with prejudice, filed. hm	
1-2-75	13. Stipulation of dismissal with prejudice, filed. hm <i>ref</i>	
1-3-75	14. Order granting stipulated dismissal with prejudice, filed and entered. (LB-J)hm	
1-6-75	15. Order granting stipulated dismissal with prejudice, filed and entered. (LB-J)hm	
1-14-81	EXHIBITS returned to respective parties.am	

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